

**IN THE HIGH COURT OF JUDICATURE AT
PATNA
Criminal Miscellaneous No.48119 of 2015**

Arising Out of PS.Case No. -41 Year- 2015 Thana -DHURAIYA District- BANKA

1. Md. Saddam Son of Md. Majharul @ Md. Majrul, Resident of village-
Bhagondha, P.S.- Dhankund (Dhoraiya), District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER**

3 19-01-2016 Heard learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Dhoraiya (Dhankund) P.S. Case No. 41 of 2015 registered
for the offence punishable under Sections 366A/34 of the
Indian Penal Code.

Allegedly, Bibi Amna Khatoon aged about 14
years, the daughter of the informant, was kidnapped and
the children of the locality informed the informant that the
petitioner handed over the victim girl to Sonu Rajak.

Submission is of false implication and that



during investigation the children have not been examined and due to some dispute the name of the petitioner has been added, it has come during investigation that victim girl used to talk with co-accused Sonu Rajak and that Sonu Rajak is absconding, whereas the petitioner is suffering in custody since 06.05.2015 having no criminal antecedent and as such he deserves sympathetic consideration to which learned A.P.P. opposes.

In the facts and circumstances stated above, considering the period of detention of the petitioner and further the charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, and as such the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Banka, arising out of Dhoraiya (Dhankund) P.S. Case No. 41 of 2015 subject to the conditions that one of the bailors must be near relative and another

having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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